

## Message Text

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ACTION EUR-12

INFO OCT-01 IO-13 ISO-00 ACDA-12 AID-05 COME-00  
CIAE-00 PM-05 H-01 INR-10 L-03 NSAE-00 NSC-05  
PA-01 SP-02 SS-15 ICA-11 /096 W  
-----004051 271105Z /23

R 261631Z MAY 78  
FM AMEMBASSY NICOSIA  
TO SECSTATE WASHDC 7825  
INFO AMEMBASSY ANKARA  
AMEMBASSY ATHENS  
AMEMBASSY BONN  
AMEMBASSY BRUSSELS  
AMEMBASSY COPENHAGEN  
AMCONSUL ISTANBUL  
AMEMBASSY LONDON  
AMEMBASSY PARIS  
USNMR SHAPE BEL  
USCINCEUR VAIHINGEN GER  
USDOCOSOUTH NAPLES IT  
USMISSION USNATO  
USMISSION USUN NEW YORK  
DIA WASHDC

C O N F I D E N T I A L NICOSIA 1372

BRUSSELS FOR USEEC  
USCINCEUR FOR POLAD  
USDOCOSOUTH FOR POLAD

E.O. 11652: GDS  
TAGS: PGOV, CPRS, CY  
SUBJECT: TURKISH CYPRIOT COMPENSATION DECREE

REF: STATE 133089 (DTG 250744Z MAY 78)

1. RE REFTTEL, TFSC "COUNCIL OF MINISTERS" PASSED A  
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DECREE, WITH EFFECTIVE DATE OF MAY 11, ESTABLISHING A  
COMMISSION OF INQUIRY FOR EX-GRATIA COMPENSATION  
TO THIRD COUNTRY NATIONALS. (COPY OF DECREE  
WAS POUCHED TO EUR/SE MAY 18). THE COMMISSION WILL  
CONSIDER CLAIMS FILED WITH TURKISH CYPRIOT AUTHORITIES  
BETWEEN JULY 20, 1974 AND FEBRUARY 13, 1975 IN CONNECTION  
WITH LOSSES SUFFERED BY ALIENS WHO WERE THEN LIVING

IN THE TURKISH SECTOR OF CYPRUS. ACCORDING TO THE DECREE, THE COMMISSION "SHALL DEAL WITH THE QUESTION OF COMPENSATION AND DAMAGES, ON HUMANITARIAN GROUNDS, AND PAYMENTS WHICH MAY BE IN THE FORM OF MONEY, MATERIAL OR RETURN OF THE SAME (PROPERTY) SHALL BE MADE ON EX-GRATIA BASIS. PAYMENTS AND ASSISTANCE GIVEN IN PAST YEARS SHALL ALSO BE TAKEN INTO CONSIDERATION." THE COMMISSION WILL MAKE ITS RECOMMENDATIONS TO THE COUNCIL OF MINISTERS WHICH WILL THEN TAKE FINAL DECISIONS ON COMPENSATION.

2. OTHER KEY PROVISIONS OF THE DECREE STATE THAT THE "NATIONALITY TO WHICH THE CLAIMANT BELONGS AT THE TIME OF THE DAMAGE SHALL BE TAKEN INTO CONSIDERATION" AND THAT THE COMMISSION SHALL NOT HAVE THE POWER TO EXAMINE CLAIMS FILED BY INDIVIDUALS WITH CERTAIN DUAL NATIONALITIES AS SPECIFIED IN THE ALIEN IMMOVEABLE PROPERTIES ACT OF 1975 (I.E. GREEK OR GREEK CYPRIOT CITIZENSHIP OR ORIGIN). CLAIMS FROM SUCH DUAL NATIONALS WILL BE CONSIDERED BY THE COUNCIL OF MINISTERS "IN DUE COURSE." IN RETURN FOR RECEIVING COMPENSATION, THE CLAIMANT MUST SIGN A CERTIFICATE AGREEING NOT TO MAKE FURTHER CLAIMS BEFORE ANY NATIONAL OR INTERNATIONAL AUTHORITY AND PRESENT A CERTIFICATE FROM HIS COUNTRY OF CITIZENSHIP DECLARING THAT THE COUNTRY CONCERNED WILL NOT MAKE ANY CLAIMS TO ANY NATIONAL OR INTERNATIONAL

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ORGANIZATION IN CONNECTION WITH THE SAME MATTER.

3. COMMENT: COMMISSION WAS ESTABLISHED LARGELY IN RESPONSE TO PRESSURES FROM UK WHOSE NATIONALS SUFFERED GREATER LOSSES THAN THOSE OF ANY OTHER THIRD COUNTRY. HIGH COMMISSION SOURCE TOLD US THAT IT IS STILL NOT CLEAR HOW COMMISSION WILL FUNCTION NOR WHETHER COMPENSATION WILL BE IN FOREIGN EXCHANGE OR TURKISH LIRA. IF IT IS IN TL, SOURCE SURMISED THAT UK WOULD EXCHANGE THE TL INTO HARD CURRENCY AND TRANSFER THE TL FOR USE BY UK EMBASSY IN ANKARA. FRENCH EMBASSY INFORMED US THAT LOCAL PAPERS HAD REPORTED THAT GOF FONMIN HAD STATED THAT GOF WOULD NOT COOPERATE WITH COMMISSION, BUT EMBASSY HAD NOT RECEIVED TEXT OF STATEMENT.

4. UNLESS OTHERWISE INSTRUCTED EMBASSY PLANS TO INFORM ALL U.S. CITIZEN CLAIMANTS OF THE NEW TURKISH CYPRIOT DECREE, RECOGNIZING THAT THE GREAT MAJORITY OF THEM ARE INELIGIBLE FOR COMPENSATION DUE TO THE RESIDENCE OR DUAL NATIONALITY RESTRICTIONS. WE INTEND NEITHER TO ENCOURAGE NOR DISCOURAGE APPLICATION TO THE

TURKISH CYPRIOT AUTHORITIES, BUT WE WILL ASSIST ANY  
AMCITS WHO SEEK OUR AID. END COMMENT.  
STONE

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NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 jan 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** REFUGEES, PROPERTY WAR CLAIMS  
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**Draft Date:** 26 may 1978  
**Decaption Date:** 01 jan 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 20 Mar 2014  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
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**Executive Order:** GS  
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**Subject:** TURKISH CYPRIOT COMPENSATION DECREE  
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**To:** STATE USUN NEW YORK MULTIPLE  
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**Review Markings:**  
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